

## **Testimony of R. Stephen White In Opposition of HB 433**

Mr. Chairperson, members of the House Education Committee, my name is Steve White. I reside in Bozeman and am representing the Montana Coalition of Home Educators; a statewide organization composed of homeschooling families dedicated to the education of their children.

**I am testifying today in opposition to HB 433.**

Passage of this bill will reduce the compulsory attendance age from 7 years of age to 6, and raise the upper age to 17. Mandating kindergarten or compulsory attendance at early ages is not the way to improve academic excellence, in fact it may harm to the development of young children to force them into the school system at a young age.

### **Passage of HB433 Adversely Affects Parents of Non-Public Students**

All children in Montana from the ages 7-16 are under the compulsory attendance laws. Homeschool and private school students are exempted from compulsory attendance in public schools per 20-5-109 MCA. Supreme court decisions support a parent's right to direct the education of their children, as guaranteed by the 14<sup>th</sup> Amendment to the U.S. Constitution (Pierce v. Society of Sisters and Wisconsin v. Yoder).

The passage of HB433 will undermine a home or private school parent's right to direct their decision for the instruction of their children. This change affects thousands of families in Montana.

### **Studies Demonstrate the Failure of Early Education Programs**

A number of child development researchers have recognized that normal children who are admitted to school too early will often become underachievers and display developmental problems. Dr. David Elkind, Tufts University psychologist says:

*There is really no evidence that early formal institutionalization brings any lasting or permanent benefits for children. By contrast, the risk to the*

*child's motivation, intellectual growth, and self' esteem could well do serious damage to the child's emerging personality. It is reasonable to conclude that the early instruction of young children derives more from the need and priorities of adults than from what we know of good pedagogy for young children.*

One of the most widespread sources of childhood stress is the separation of children from their parents at young ages. Karl Zinsmeister, Adjunct Research Associate at the American Enterprise Institute for Public Policy Research, says

*Declining parental attachment is an extremely serious risk to children today. The verdict of enormous psychological literature is that time spent with a parent is the very clearest correlate of healthy child development*

Research indicates it is advisable to move away from formal academic instruction to a developmental approach for early childhood education. Children who are at home with their parents can develop the skills necessary for learning in the day-to-day setting and thus be prepared for the academic setting.

Dr. Jean Piaget, long respected in the academic community for his studies in development research, found a child's cognitive abilities usually show maturity between the age of seven and nine. Many children are put at risk by compulsory attendance statutes that do not take into account slower maturation rates.

Also, consider Head Start, a federal program that has spent billions of dollars on early education programs for inner city children. :

*In its early years, extensive studies were undertaken to prove Head Start worked. But the opposite turned out to be true. In 1969, the Westinghouse Learning Corporation found no difference in the behavior and educational achievement between Head Start and underclass children.*

*Sixteen years later, the CRS Synthesis Project study, commissioned by HHS, came to the same conclusion. Although children showed "immediate gains," by the second grade "there are no educationally meaningful differences"*

**A review of compulsory attendance laws across the nation shows that requiring young children to attend school is largely unnecessary. Only eight states require attendance of five-year olds, and five of those eight allow waivers for parents. The other 42 states allow parents to wait until their children are six, seven, or even eight years old before beginning formal education.**

This change in statute would take away a parent's choice of when they feel that their child is ready for early education. It would require all parents to register their children for school at the age of 6.

## **Raising the Compulsory Attendance Age Fails to Achieve Significant Results**

Raising the compulsory attendance age will not reduce the dropout rate. In fact, the two states with the highest high school graduation rates (New Jersey, 84.5% and North Dakota, 83.1%) compel attendance only to age 16, but the state with the lowest completion rate (South Carolina, 52.5%) compels attendance to age 17.

Most states (26) have compulsory attendance age laws similar to Montana's present one – age 16.

- **Among the 50 states and D.C., there is no consistent relationship between the maximum compulsory age and graduation and dropout rates.**
- **States with a compulsory attendance age of 16 have higher average and median graduation rates than states with compulsory attendance ages of 17 and 18. States with a compulsory attendance age of 16 have average and median dropout rates comparable to states with compulsory attendance ages of 17 and 18.**
- **There is no consistent relationship between compulsory attendance ages and graduation rates among industrialized nations. students in countries with a maximum compulsory attendance that is lower than the United States often graduate at a higher rate than students in the United states do.**
- **School systems and law enforcement officials must begin earnestly enforcing existing truancy laws for public school students who have not reached 16 years of age but are chronically absent from school.**

Research agrees that increasing the compulsory attendance age does not guarantee an increase in the graduation rate or a decline in the dropout rate. Professor Rosemary J. Avery of Cornell University analyzed dropout and graduation rates before and after four states raised their compulsory attendance age. In her analysis, none of the states increased their graduation rate. Dropout data for Minnesota and Wyoming also showed no improvement attributable to the change.

**Taken as a whole, states with a compulsory attendance age of 16 have higher average and median graduation rates than states with an attendance age of 17 and 18 (Table 2). Similarly, states with a compulsory attendance age of 16 have average and median dropout rates comparable to state with an attendance age of 17 and 18.**

## **Compulsory attendance age: an International Look**

**Most industrialized nations maintain a compulsory attendance age requirement for their youth. At 17 years old, the average compulsory**

**attendance age in the United States is higher than that of most other nations.**

On average, schools in the United States require their children to stay in school one year longer than the international average. Students in the United States are required to stay in school two years longer than students in Japan. There is no observable relationship between compulsory attendance age and graduation rates among nations. But, students in countries with a maximum compulsory attendance age lower than that of the United States often graduate at a higher rate than students in the United States do.

## **The Value of Education**

It is unfortunate that some students fail to appreciate the value of education. There are many teachers, both in the public and private sectors that are frustrated with students who drop out. Fortunately, some return later to complete their education. HB 433 does not solve the problem. By the age of 16 there are some young folks that are determined to leave. To require them to stay in an institution that they are not interested in becomes a hardship for both their fellow students, and their teachers.

For a student to stay in school, they must understand the value of it. Their parents must remain participants. To compel a student to remain, often ends up with disruption in both the classroom and school. Schools are for learning, and for those students that want to complete their education.

Presently Montana's statute requires compulsory attendance from the age of 7 years to 16 years of age, or 8<sup>th</sup> grade, whichever is the later date. This bill makes creates a significant change to Montana's statute. And this change creates a hardship on the homeschooling families in Montana.

In Montana, a student may end high school by taking the GED as early as 16. And many that do this, ultimately enter college or a vo-tech school. In 1999, the Montana Board of Regents passed a change to the entrance policy for the Montana U system (attached). This change in policy allows a student to enter into college with either a GED, or satisfactory performance on either the ACT or COMPASS exams. None of the requirements are related to completing the 12<sup>th</sup> grade or the age of student.

And modification of 20-5-102 and 20-5-103 for compulsory exemption as proposed in HB 433; "(b) the date of completion of high school graduation requirements", ultimately could disagree with present statute 20-5-111 MCA, that specifically states that the homeschooling parent is responsible for the evaluation of the homeschool student. 20-5-111 MCA was passed into law in 1991, with much discussion and debate regarding a parent's right to home educate their children. It ultimately received strong support from both parties (with over 50 co-signers), and passed overwhelmingly. HB 433, carried to the fullest letter of the law could require homeschooling parents to prove that their children's education is that of the completion of the 12<sup>th</sup> grade.

## **Conclusion**

**Montana's public school, private school and homeschooling families will not benefit from the passage of this bill. Rushing children into formal education too soon will exact a heavy toll on the development of those children and weaken the role of family in their lives. And the raising of the compulsory attendance age undermines a student's opportunity to advance from secondary schooling, and the educating private schooling parent's legal decision when high school is completed.**

**Research certainly supports the resulting social problems will place even greater demands on private and government agencies and more pressure on taxpayers. Not only is lowering the compulsory attendance age for young children unnecessary and expensive, but it is counter-productive, thwarting parents who want to spend more time with their children.**

**Educational public policy should encourage excellence and responsibility in parenting so that children will develop emotionally, socially, and achieve academically, and will be better able to handle the challenges of adulthood when they mature.**

**We ask that you oppose HB433.**

## End Notes

1. Kyle Zinth, "Compulsory School Age Requirements," Education Commission of the States, August 2006, pp. 1-3. **(Figure 1, Table 1 and 2)**
2. North Carolina's General Statute §115C-378 states, "Every parent, guardian or other person in this State having charge or control of a child between the ages of seven and 16 years shall cause such child to attend school continuously for a period equal to the time which the public school to which the child is assigned shall be in session."
3. Zinth, *op. cit.*, p. 1.
4. General Assembly of North Carolina, Session 2007, House Bill 1790, "Raise Compulsory Educ. Age & Grad. Rate." Sponsors: Representatives Bryant, Bordsen, Wainwright, Jones (Primary Sponsors); Brown, Carney, Faison, Rapp, Ross, and Womble.
5. *Ibid.*
6. Testimony before the House Education Committee, May 8, 2007.
7. *Ibid.*
8. *Ibid.*
9. Zinth, pp. 1-3.
10. The CPI is the Cumulative Promotion Index, a method of calculating state graduation rates created by Christopher Swanson of the Urban Institute. According to "Getting Honest about Grad Rates" by Daria Hall of The Education Trust, the CPI compares the number of 10<sup>th</sup> graders in one year to the number of 9th graders in the previous year to estimate the percentage of 9th graders who were promoted. The same calculation is performed for the other grades and multiplies these four ratios to arrive at an estimated graduation rate. CPI is used by such organizations as the Harvard Civil Rights Project and the Education Commission of the States. The graduation rates used in this analysis are taken from "Diplomas Count: An Essential Guide to Graduation Policy and Rates," *Education Week* [Special Report], June 22, 2006.
11. Rosemary J. Avery, "Policy Analysis on the Efficacy of Increasing the Compulsory School Attendance Age in Terms of Decreasing Withdrawal Rates Prior to Graduation as Well as Increasing High School Graduation Rates," Cornell University, October 4, 2002, pp. 1-16.
12. *Ibid.*, pp. 2-4. "In terms of event dropout rates, only data were available for Minnesota and Wyoming: respective rates for 1997-98, before implementation, were 4.9% and 6.4%. Respective rates for 1998-99, after implementation, were 4.5% and 5.2% (See Appendix, Item E). The data indicate declines in event dropout rates for both states, with Wyoming satisfying the evaluative criteria for efficacy (1.2% decrease). However, this data contradicts the data for the HSCR's for these states because the HSCR's and dropout rates should be inversely related over a given time period. Also, the 0.4% decrease witnessed in Minnesota was part of a three-year downward trend, beginning in 1996, when the rate was 5.5%. This lends support for the hypothesis that the decreases in rates from 1998-99 were not solely due to the change in the SLA, rather were more likely a result of other dropout prevention measures implemented earlier. All in all, there is no immutable statistical support for the efficacy of raising the SLA to 18 years in terms of raising the HSCR's and lowering the event dropout rates" (p. 4). **(Table 3)**
13. *Ibid.*, p. 5.
14. *Ibid.*, p. 6.
15. Organisation for Economic Co-Operation and Development, "Education at a Glance: OECD Indicators 2006," 2006. Only OECD countries with an available upper secondary graduation rate were included. **(Table 4)**
16. *Ibid.*, p. 266.
17. *Ibid.*, p. 48.
18. This is the average of all OECD countries for which data are available, including countries not listed here.
19. Jerry R. Bailey, "State Fiscal Note Statement for HB 113: An Act relating to compulsory school attendance," Legislative Research Commission, Commonwealth of Kentucky, March 3, 1998.
20. David Porter, "SB06-073: State and Local Revised Fiscal Impact," Colorado Legislative Council, April 24, 2006.
21. "Senate Staff Analysis and Economic Impact Statement: CS/SB 772," Children and Families Committee, State of Florida, March 8, 2006.
22. Dwayne Ferguson, "HF 6 – Compulsory Attendance Age Fiscal Note," Fiscal Services Division, Iowa Legislative Services Agency, February 21, 2007.
23. *Ibid.*, p. 2.
24. North Carolina Department of Public Instruction (NCDPI), "Dropouts by LEAs, School Years, Grades, Ages, Races, Genders and Reasons, 2005-2006," Education Statistics Access System, accessed April 2007, 149.168.35.67/wds/ReportFolders/ReportFolders.aspx. The total

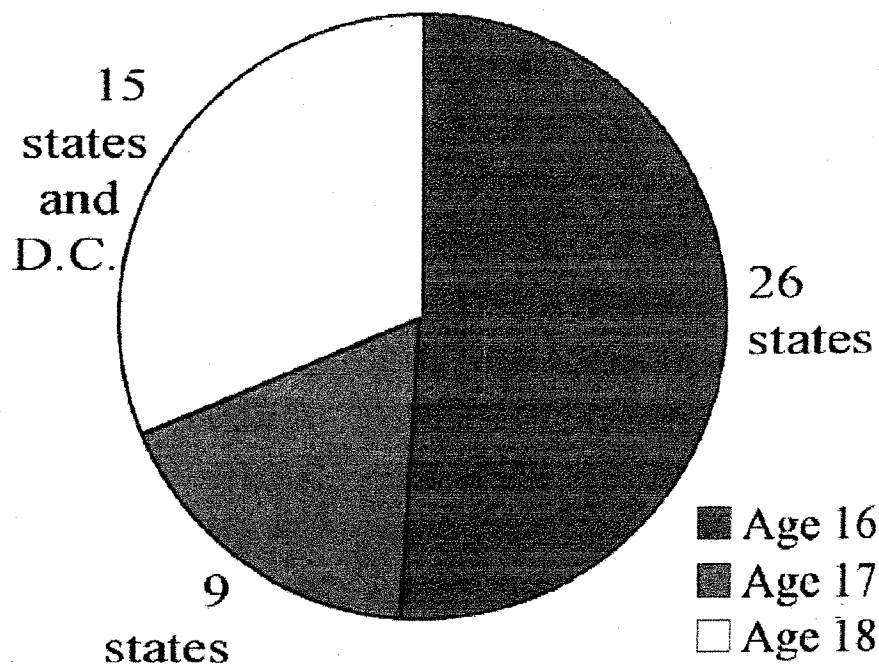
- includes students in grades 7-12. The ESAS systems reports a different total than the Annual Dropout Event Report for School Year 2005-06 because it does not include charter schools. According to the dropout report, 22,943 students in grade 7-12 dropped out in 2005-06, compared to 22,774 reported by the ESAS.
25. *Ibid.* Due to poor data collection and reporting, the state dropout report does not indicate how many students return to school after dropping out. Thus, I use the Colorado Legislative Council's estimate that 75 percent of dropouts do not return to school, and therefore are not covered by state funding.
  26. *Ibid.* According to Colorado Legislative Council analysts, one study showed that compulsory attendance laws retained 10 percent of potential dropouts. See Joshua D. Angrist and Alan B. Krueger, "Does Compulsory School Attendance Affect Schooling and Earnings?" *The Quarterly Journal of Economics*, Vol. 106, No. 4. (November 1991), p. 992. I follow the CLC and apply this rule to North Carolina dropouts.
  27. Per-pupil expenditures for the 2005-06 school year. See NCDPI, "2005-06 Selected Financial Data," Division of School Business, November 2006, [www.ncpublicschools.org/fbs/resources/data](http://www.ncpublicschools.org/fbs/resources/data). The per-pupil expenditure is an estimate based on the 2005-06 state averages of \$7,596 per pupil for educational services and \$763 per pupil for capital expenditures. Assuming yearly increases in per-pupil expenditure of four percent, the estimated per-pupil expenditure will be \$8,216 by the 2007-08 school year. The per-pupil expenditure for capital expenses has fluctuated over the last few years, so I use the current amount in the estimate. The total per-pupil expenditure used is \$8,979.
  28. John William Pope Civitas Institute, "April 2007 Decision Maker Poll," 2007, [jwpcivitasinstitute.org/keylinks/polls.html](http://jwpcivitasinstitute.org/keylinks/polls.html). The results may have been skewed by the introductory clause of the question. The question asked: "In light of the 32 percent dropout rate, do you support or oppose increasing the mandatory school attendance age from 16 to 18 years of age?" The introductory clause states incorrect information. The 32 percent remainder of North Carolina's 68 percent four-year (cohort) graduation rate is not the actual dropout rate because a portion of the remainder includes students that graduate in more than four years. The annual dropout rate is around 5 percent, and the state does not calculate a four-year dropout rate. More importantly, the dropout rate statistic creates a context favorable to the policy change being proposed.
  29. Q.v., "N.C. lawmakers want to raise minimum drop-out age," WWAY TV3 Online, April 24, 2007, [www.wwaytv3.com/node/1355](http://www.wwaytv3.com/node/1355).
  30. For an excellent primer on the arguments for and against raising the compulsory attendance age, see Chloe Gossage, "Should North Carolina Raise the Compulsory Schooling Age?," Legislative Policy Briefing, J.W.P. Civitas Institute, March 1, 2007, [jwpcivitasinstitute.org/keylinks/pol\\_an.html](http://jwpcivitasinstitute.org/keylinks/pol_an.html).
  31. Elkind, David. "Making Healthy Educational Choices," *Miseducation: Pre-schoolers at Risk*, 1987
  32. Fuller, Cheri. "Early Schooling: An Idea Whose Time Has Gone." *Southwest Policy Institute Policy Study*, No. 2, 1989. p. 3
  33. Lynn, Lee Anne and Vicki Winstead. "Mandatory kindergarten means parents lose even more control." *The Birmingham News*, June 5, 1991
  34. *Ibid.*
  35. Rockwell, Llewellyn H, "Dead Start," *Free Market*, January 1991, p. 2
  36. Winstead, Vicki, "A Study in Support of Parental Choice in Early Childhood Education." published by Eagle Forum of Alabama, 1991
  37. Testimony before the Connecticut House Finance, Revenue and Bonding Committee meeting March 27, 1998
  38. Klicka Christopher J. *Home Schooling in the United States: A legal Analysis*, Home School Legal Defense Association, 1985, 1998
  39. Testimony before the Connecticut House Finance, Revenue, and Bonding~ Committee meeting March 27, 1998, Elaine Zimmerman, Executive Director of the Commission on Children and George Coleman of the Connecticut State Department of Education Division of Educational Programs and Services Bureau of Early Childhood Education and Social Services.

**Table 1. Compulsory Attendance Age, Graduation Rate, and Dropout Rate**

<i>State (and D.C.)</i>	<i>Max. Compulsory Age<sup>a</sup></i>	<i>Graduation Rate (CPD, 2003)<sup>b</sup></i>	<i>Graduation Rate Rank</i>	<i>State (and D.C.)</i>	<i>Max. Compulsory Age</i>	<i>Dropout Rate</i>	<i>Dropout Rate Rank</i>
New Jersey	16	84.5	1	New Jersey	16	1.8	T-1
North Dakota	16	83.1	2	Connecticut	18	1.8	T-1
Iowa	16	82.5	3	North Dakota	16	2.0	3
Vermont	16	81.2	4	Iowa	16	2.1	4
Wisconsin	18	80.6	5	Kansas	18	2.2	5
Connecticut	18	79.3	6	Indiana	16	2.5	6
Pennsylvania	17	79.1	7	Maine	17	2.7	7
Minnesota	16	79.0	8	Vermont	16	2.8	T-8
Idaho	16	77.8	T-9	Nebraska	18	2.8	T-8
Nebraska	18	77.8	T-9	Virginia	18	2.8	T-8
New Hampshire	16	77.7	11	Pennsylvania	17	2.9	T-11
Utah	18	76.7	12	Mississippi	17	2.9	T-11
Ohio	18	76.5	13	Idaho	16	3.1	13
Illinois	17	76.3	14	Minnesota	16	3.2	14
Montana	16	75.8	15	Missouri	16	3.3	T-15
Kansas	18	75.0	16	Kentucky	16	3.3	T-16
Virginia	18	74.9	17	Alabama	16	3.3	T-15
Missouri	16	74.7	18	Tennessee	17	3.3	T-15
South Dakota	16	74.5	19	Ohio	18	3.3	T-15
Maryland	16	74.4	20	California	18	3.3	T-15
Maine	17	74.0	T-21	Montana	16	3.4	T-21
Wyoming	16	74.0	T-21	Rhode Island	16	3.4	T-21
Indiana	16	73.0	23	Florida	16	3.4	T-21
West Virginia	16	72.8	24	South Carolina	17	3.4	T-21
Colorado	17	72.5	25	Texas	18	3.6	25
Rhode Island	16	72.3	26	Massachusetts	16	3.7	26
Massachusetts	16	72.1	27	New Hampshire	16	3.8	T-27
Arkansas	17	71.8	28	Utah	18	3.8	T-27
California	18	71.0	T-29	Oklahoma	18	3.9	29
Oklahoma	18	71.0	T-29	Maryland	16	4.1	30
Arizona	16	70.0	31	South Dakota	16	4.2	31
Kentucky	16	69.7	32	West Virginia	16	4.3	32
Oregon	18	69.0	33	Wyoming	16	4.6	T-33
Washington	18	68.2	34	Michigan	16	4.6	T-33
Texas	18	66.8	35	Arkansas	17	4.7	35
Michigan	16	66.4	36	Hawaii	18	4.8	36
North Carolina	16	66.2	37	North Carolina	16	5.2	T-37
Hawaii	18	63.7	38	New Mexico	18	5.2	T-37
Alaska	16	63.6	39	Illinois	17	5.3	39
New York	16	62.5	40	Georgia	16	5.4	T-40
Tennessee	17	62.2	41	Colorado	17	5.4	T-40
Mississippi	17	60.8	42	New York	16	5.6	42
Alabama	16	60.7	T-43	Nevada	17	6.0	43
Delaware	16	60.7	T-43	Delaware	16	6.1	44
Louisiana	18	60.6	45	Washington	18	6.5	45
District of Columbia	18	58.9	46	Arizona	16	6.7	46
Florida	16	57.5	47	Alaska	16	7.0	47
New Mexico	18	56.7	48	Louisiana	18	7.9	48
Georgia	16	56.3	49	Wisconsin	18	N/A	N/A
Nevada	17	55.9	50	Oregon	18	N/A	N/A
South Carolina	17	52.5	51	District of Columbia	18	N/A	N/A



**Figure 1. Maximum Compulsory Attendance Age  
Among U.S. States and D.C.**



**Table 2. Summary of Table 1: Average and Median Graduation and Dropout Rates  
by Maximum Compulsory Attendance Age**

Maximum Compulsory Attendance Age	Average Graduation Rate	Median Graduation Rate	Average Dropout Rate	Median Dropout Rate
16 years old	71.7	72.9	4.0	3.55
17 years old	67.2	71.8	4.1	3.4
18 years old	70.4	71.0	4.0	3.5
U.S. and D.C. Average	69.6	72.3	4.0	3.4

**Table 3. Completion Rates Before and After an Increase in Compulsory Attendance Age**

State	Year of change	Average completion rate two years before change	Average completion rate two years after change
Texas	1996	79.3%	79%
Kansas	1996	91.6%	91%
Minnesota	1998	95.3%	92%
Wyoming	1998	89.4%	87%

**Table 4. Compulsory Attendance Age and Graduation  
Rates among OECD Nations**

<i>Country<sup>15</sup></i>	<i>Maximum Compulsory Attendance Age<sup>16</sup></i>	<i>Graduation Rate (2004)<sup>17</sup></i>
Norway	16	100
Germany	18	99
Korea	14	96
Ireland	15	92
Japan	15	91
Denmark	16	90
Finland	16	90
Switzerland	15	89
Czech Republic	15	87
Hungary	16	86
Iceland	16	84
Slovak Republic	16	83
France	16	81
Italy	15	81
Poland	16	79
Sweden	16	78
New Zealand	16	75
<b>United States</b>	<b>17</b>	<b>75</b>
Luxembourg	15	69
Spain	16	66
Turkey	14	53
Mexico	15	38
<i>OECD average<sup>18</sup></i>	16	81



**Rule: 10.66.102**

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Rule Title: **WAIVER OF AGE REQUIREMENT**

Department: **EDUCATION, DEPARTMENT OF**  
Chapter: **ADULT SECONDARY EDUCATION CREDENTIALS**  
Subchapter: **Policy for Accrediting High School Level Tests of General Education Development**



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**10.66.102 WAIVER OF AGE REQUIREMENT**

(1) A sixteen (16) year-old may receive a waiver of the age requirement provided documentation satisfying each of the following provisions is submitted to an official GED testing center and approval to test is granted by state GED administrator (ARM 10.66.102(3)) :

(a) Submit to official GED testing center a completed, signed, and notarized sixteen (16) year-old age waiver application form providing school status as required under ARM 10.66.101(3) and providing notarized permission of applicant's parent, legal guardian, or responsible adult.

(b) Submit documentation to official GED testing center from the director of an adult education program or a literacy program verifying:

(i) the applicant has successfully completed GED preparation classes and is considered academically ready to attempt official GED test battery, or

(ii) the applicant has attained pre-test scores satisfactory to attempt GED test battery.

(c) Submit documentation to official GED testing center on official letterhead stationery from an employer, a postsecondary education institution admissions director, or a military recruiting official indicating that agents acceptance of the applicant based upon successful completion of the GED test.

(2) Applicants sixteen (16) years of age who reside in a Montana-based job corps center; are incarcerated in a correctional institution, a youth correctional center or school; are under the jurisdiction of a court, a youth probation office, a state authorized group home or alcohol/drug treatment center may be tested provided the following documentation is submitted for review and approval to the state GED administrator in the office of public instruction prior to testing:

(a) a written request from the facility director or authorized agent (e.g., probation officer) to have applicant tested, verifying applicant is not enrolled in a regular school program for credit. The state GED administrator may require school documentation satisfying ARM 10.66.101(3) before testing.

(b) documentation from the facility education director or from the director of an adult education program or a literacy program verifying:

(i) the applicant has successfully completed GED preparation classes and is considered academically ready to attempt official GED test battery, or

(ii) the applicant has attained pre-test scores satisfactory to attempt GED test battery.

(3) Sixteen (16) year-old age waiver applications and accompanying documentation (ARM 10.66.101(1) or (2)) shall be submitted by official GED testing center to the state GED administrator in office of public instruction for review and approval prior to testing.

History: Sec. 20-2-114, MCA; IMP, Sec. 20-2-121, MCA; Eff. 9/13/71; ARM Pub. 11/26/77; AMD, 1994 MAR p. 167, Eff. 1/28/94.

Effective rule versions existed in ARM on or after March 31, 2007

MAR	Effective	Effective
Notices	From	To

History Notes

**MONTANA BOARD OF REGENTS OF HIGHER EDUCATION**  
**Policy and Procedures Manual**

**SUBJECT: ACADEMIC AFFAIRS**  
**Policy 301 - Admissions; General**  
***Effective July 10, 2003 ; Issued July 14, 2004***

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**Board policy:**

1. This policy does not apply to Colleges of Technology and Community Colleges.
2. Campuses will adhere to the non-discrimination policy contained in Section 703 of the Policy and Procedures Manual.
3. Campuses may establish a cut-off date for the submission of complete credentials for admission, and any applicant who does not submit a complete application by that date may be required to delay entrance until a subsequent semester.
4. The requirement of high school graduation may also be satisfied by:
  - a. A High School Equivalency Diploma based on the G.E.D. (General Educational Development) examination; or
  - b. Satisfactory performance on either the ACT (American College Testing program) Asset or COMPASS examinations, for students who complete their secondary education through home schooling or at unaccredited secondary schools,
  - c. Standards for "satisfactory performance" on the ACT examinations shall be recommended by the admitting institution and approved by the Board of Regents. These scores shall not fall below scores which the U. S. Department of Education has published through the Federal Register as indicative of a student's "ability-to-benefit" from post-secondary education.
5. Campuses may establish procedures for the admission and simultaneous attendance of students in high school and a campus of the Montana University System, and admission of non-high school graduates prior to the time their high school class has graduated. Such admission shall be highly selective and shall be confined to students who present evidence of high ability and achievement and maturity to do college work. Such admission shall be based on providing educational opportunities that are not available in the high school setting. Such procedures must include the requirement that the high school principal or counselor approve participation of a student in the college program.
6. Campuses may establish procedures for the admission of applicants who do not meet the minimum requirements set forth in these regulations. Such procedures shall include submission of evidence of the ability to do college-level work and shall be subject to approval of the Commissioner of Higher Education.
7. Campuses may establish the category of special or non-degree student. This category will allow admission for the purpose of taking a limited number of credits without the complete documentation required in a regular application for admission.
8. Students in credit continuing education courses must meet the same admission requirements and academic standards as students in regular academic courses.

## Montana Code Annotated - 2007

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**20-5-111. Responsibilities and rights of parent who provides home school.** Subject to the provisions of 20-5-109, a parent has the authority to instruct his child, stepchild, or ward in a home school and is solely responsible for:

- (1) the educational philosophy of the home school;
- (2) the selection of instructional materials, curriculum, and textbooks;
- (3) the time, place, and method of instruction; and
- (4) the evaluation of the home school instruction.

**History:** En. Sec. 1, Ch. 444, L. 1991.

Provided by Montana Legislative Services